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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

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OQMT

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

932 214

Applicant(s)

Savelle

Examiner

K HASTINGS

Group Art Unit

1731

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 1-31-03
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 2-24 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 13-17 is/are allowed.
- ☒ Claim(s) 2-6, 18-24, 7-12 is/are rejected.
- ☒ Claim(s) 7 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Other English translation of F1

Office Action Summary

Claims 2, 18, 22, 23, at least, are rejected under 35

U.S.C. 102(b) as anticipated by or, in the alternative, under 35
U.S.C. 103(a) as obvious over Poulsen or Lapeyrouse `109 or `415.

Poulsen teaches a felt conditioning system which can be viewed as comprising a subassembly 29 which cleans and a subassembly by the curve 2 that functions to spread, clean and guide the felt. Note Figure 4 where the subassembly 29 clearly is so close to the subassembly 34 that it would be immediately envisioned that it is mounted thereto and forms a single device. But in any event, even if it did not, the various elements that make up the air plenum itself may be considered subassemblies that guide spread and/or clean the fabric - note for example only column 5 lines 10-45 which describe that the ribs spread the felt to enhance the action of the air coming through the plenum chamber to purge the felt and clean it. Again, the felt conditioning structure itself also inherently guides the felt.

Any differences that may be gleaned from the current claim language would be immediately envisioned by one of ordinary skill in the art upon review of this reference.

Alternately, Lapeyrouse `415 or '109 discloses a felt cleaner which is a suction box that has integrally aligned with it a water jet cleaning nozzle at 18(`415) or 16(`109). Lapeyrouse `415 also guides the fabric at 17 and at each spreader

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roll 14, 15, note page 2 lines 24-30 which teaches that the rollers 14 and 16 "work" the felt to open it up, that is, they spread the felt to enhance the cleaning action. Lapeyrouse '109 discloses similar felt spreader/guider and cleaner structure. No distinctions can be seen over these claims from these references.

Claims 2-6, 8-12, 18-24 are rejected under 35 U.S.C. §

103(a) as being unpatentable over FI 3345/68, as necessary with Sweet and/or Heymanns and/or Snellman et al, further as needed with Lapeyrouse 415.

See the English Abstract of FI 3345/68 and Figures 1 and 2 which clearly structurally show a device for cleaning and spreading a felt wherein subassemblies are forming a "single device", see especially the left hand side of Figure 1 and Figure 2 where it is clearly depicted guiding devices, a roll which will spread the felt open, a suction box in between and then another roll which guides and/or spreads the felt.

FI '68 as applicants note, show a felt cleaner that traverses the fabric. However the option of using a felt cleaner that instead of traverses the fabric is large so that it extend across the entire fabric is very well known and old, see Lapeyrouse 415. It would have been prima facie obvious to use the features in FI 68 in a felt cleaner that extends across the entire width, one would be foregoing the economics of a smaller

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traversing head, for the effectiveness of cleaning the entire fabric in one pass as was traditional in older machines.

Note any differences and the dependent claims are considered to have been prima facie obvious design choices to one of ordinary skill in the art, or design choices that would be immediately envisioned by one of ordinary level of skill in the art. For example, with respect to claim 4, to have the suction slot formed between two suction ribs as opposed to in a suction box cover is very well known to those of ordinary skill in the art; with respect to claim 3, claim language is to be given its broadest reasonable interpretation and such would encompass the structure of FI reading on ~~an~~ automatic guide~~and~~ ~~a~~ curved spreader roll~~absent~~ more specific recitation of structural details.

Other dependent claimed features are all well known features/options to those of ordinary skill in the art and as such would have been prima facie obvious modifications to FI 3345/68. For example, the use of two ribs to form a suction slot versus a cover is well known in the art as exemplified by Sweet - note the alternative use of a suction slot in Figure 3 between two ribs versus suction slots in a cover as exemplified by Figures 7, 8 and 9 of Sweet. One would merely be substituting an known structural design for another, both of which are designed to perform the same function of suction/dewater/clean a fabric.

The use of movable/bendable suction ribs for a suction device is also well known in the art as exemplified by Snellman et al. - see Figures 1A/1B, column 2 lines 45-65 and column 5 lines 10-25 which describe individually movable suction ribs. It is noted that Snellman et al. is primarily concerned with dewatering the paper web, however the concept of using a movable rib in a suction box would be immediately envisioned by one of ordinary skill in the art to be applicable to a suction box cleaning device for a fabric. Thus to have modified the suction box/ribs of FI 3345/68 to be movable ribs and/or to form a curved surface for the fabric to travel over would have been prima facie obvious to one of ordinary skill in the art, for the known advantages thereof as taught in Snellman et al.

Likewise using a well known curved spreader/guide roll as exemplified in Heymanns - see Figure 1 - with an adjustment to adjust its tension against the felt - see Figure 3 and relevant description thereof - would have been prima facie obvious to one of ordinary skill in the art as one would merely be using a well known construction for a spreader roll as an alternative to the design of the spreader roll(s) shown in FI 3345/68.

Furthermore note for example that using an end seal for a suction slot (claim 12, 24) was well known to those of ordinary skill in the art, the use of a plurality of suction pipes (claim

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11) was well known to those of ordinary skill in the art, bendable ribs, etc are also known technical features/options.

Other dependent claim features are either suggested by the references or would have been prima facie obvious modifications to those of ordinary skill in the art. Furthermore note the provision of adjustability is ordinarily not patentable - see In re Stevens 101 USPQ 284 (CCPA 1954). Furthermore, automating a known manual setup per se involves only routine level of skill and is ordinarily not patentable. See In re Venner 120 USPQ 193.

Indication of Allowable Subject Matter:

Claims 13 -17 as amended are allowable. Claim 7 is objected to, but would be allowable if amended to include all limitations of the independent claim.

Applicants arguments filed January 31, 2003 have been fully considered but are not deemed to be persuasive with respect to the rejected claims above.

Applicant argues that ~~✕~~a subassembly accomplishing a guiding function~~✕~~ (claim 2,22,23) and ~~✕~~means for guiding~~✕~~ (claim 18+) define over any the references structure, because one would interpret these phrases to mean a device wherein at least one end can be moved in the machine direction to guide the fabric in a cross machine direction. The examiner disagrees.

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It is well settled that application claims, in proceedings before the PTO, are to be given their broadest reasonable interpretation consistent with the specification. In re Sneed, 218 USPQ 385, 388 (Fed Cir. 1983). In looking at applicants specification for guidance in interpreting the claim language, it is clear that there may be a guide means (e.g. roll) and an automatic guide (which moves the guide means) as separate and distinct elements (see e.g. spec paragraph 0012 and the numerous claims which do not include both elements). Furthermore paragraph 28 describes that in Fig 3 each roll of the many rolls around which the felt runs are ~~the~~guide rolls 59~~the~~.

Thus, the specification, and the separate claiming of the two elements, do not support the position these phrases in the independent claims are limited to a device wherein at least one end can be moved in the machine direction to guide the fabric in a cross machine direction.

The examiner's position remains that all the primary references teach structure that accomplishes a guiding function.

Arguments that FI is a traversing cleaner and thus only covers a portion of the felt are not persuasive. First of all as it traverses it does perform the spreading function over the entire cross machine width, just not all at one time. But in any event, Lapeyrouse exemplifies that it has been well known to

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construct these cleaners so that they extend across the entire fabric, see rejections above.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Hastings whose telephone number is (703) 308-0470. The examiner can normally be reached on Monday through Thursday from 6:30 A.M. to 5 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Steve Griffin, can


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be reached on (703) 308-1164. The fax phone number for this Group is (703) 305-7115.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0651.


Karen M. Hastings
Senior Primary Examiner
Art Unit 1731

KMH/cdc
April 4, 2003

4/2003